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Special report of the Secretary-General on the renewal of the mandate of the United Nations Mission in South Sudan

I. Introduction

1. In line with my agenda on reforming the peace and security pillar of the United Nations, I directed the Under-Secretaries-General for Peacekeeping Operations and Field Support to undertake reviews of eight major peacekeeping operations by June 2018. The independent review of the United Nations Mission in South Sudan (UNMISS) was conducted from November 2017 to January 2018 by an integrated team that included representatives of the Department of Peacekeeping Operations, the Department of Field Support and agencies, funds and programmes, and was led by an independent expert and former acting Under-Secretary General for Safety and Security, Kevin Kennedy. The team initially undertook a conflict analysis and consultations at Headquarters, before proceeding to South Sudan, where it received detailed briefings and held extensive consultations with UNMISS and the United Nations country team, the Transitional Government of National Unity, the diplomatic community and non-governmental organizations. The team also visited Addis Ababa and engaged with African Union officials and representatives from the Sudan People's Liberation Movement in Opposition, former detainees, the National Salvation Front and other political parties, as well as United Nations officials. In the first parts of the report I present and summarize the main findings of the review team, and in the final section I offer my observations and recommendations prior to the renewal of the mandate of UNMISS, on 15 March 2018.

2. The review process was focused on assessing five fundamental issues: the scope of the mandate and the validity of the assumptions underlying its current four pillars (protection of civilians, monitoring and reporting on human rights violations, creating conditions conducive to the delivery of humanitarian assistance and support to the political process); the performance of the Mission in implementing its mandate and how it could be improved; the conditions for achieving a political solution to the conflict in South Sudan; possibilities for greater synergies among UNMISS, the United Nations country team and other international partners to achieve our common strategic objectives in South Sudan; and finally, how a viable exit strategy for the Mission would be defined.

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II. Evolution of the mandate of the United Nations Mission in South Sudan

3. The United Nations Mission in South Sudan was established on 8 July 2011 by the Security Council in its resolution 1996 (2011) of 8 July 2011. A strategic assessment conducted at the time identified the principal political and security risks for the newly created country to be the outstanding disputes with the Sudan resulting from the non-implementation of some of the provisions of the Comprehensive Peace Agreement, as well as the threat posed by local rebellions, militias, poor governance in the management of oil revenue and the lack of cohesive national security institutions. Intercommunal violence was also identified as a major source of concern for the protection of civilians. Capacity-building and providing support to government institutions were considered essential to assisting in State-building, delivering public services and mitigating the risks of conflict. UNMISS was thus mandated to support extending state authority throughout the country, and to provide assistance to local state structures through the establishment of county support bases. Concurrently, the Council authorized a peacekeeping force with a ceiling of 7,000 military and 900 police personnel. Through my Special Envoy for the Sudan and South Sudan, the United Nations also supported the African Union High-level Implementation Panel in addressing outstanding disputes between South Sudan and the Sudan.

4. Following the outbreak of violence in Juba in December 2013 between forces loyal to the President, Salva Kiir, and the former Vice-President, Riek Machar, the country progressively descended into a state of civil war. The Intergovernmental Authority on Development (IGAD) assumed the lead of the political negotiations to resolve the conflict, supported by my Special Envoy and UNMISS. The Government became a party to a bitter and extremely violent conflict, which included repeated atrocities committed against defenceless and vulnerable civilians. As a result of the increased fighting, in its resolution 2132 (2013) of 24 December 2013, the Security Council raised the Mission's troop ceiling to 12,500 troops with a more robust protection of civilians mandate. Subsequently, Council resolution 2155 (2014) of 27 May 2014 established the current four-pillar mandate and terminated the Mission's capacity-building tasks due to concerns that any assistance to the Government would indicate political support and could facilitate its war effort.

5. After 18 months of negotiations, the Agreement on the Resolution of the Conflict in the Republic of South Sudan (hereinafter referred to as peace agreement) was signed in August 2015 and was later complemented by further provisions regarding the transitional security arrangements, in October 2015. On 15 December 2015, the Security Council adopted resolution 2252 (2015), which raised the force levels of UNMISS up to a ceiling of 13,000 troops and 2,001 members of the police force, maintained the first three pillars of its mandate and revised the fourth pillar to add the provision of support to the implementation of the peace agreement. The mandate also included significant logistical and force protection support to the Ceasefire and Transitional Security Arrangements Monitoring Mechanism.

6. The outbreak of violence in July 2016 was further evidence of the continued unwillingness of the parties to resolve their disputes through peaceful means. To address the crisis and enable UNMISS to better protect civilians, the Security Council, through resolution 2304 (2016), once again raised the ceiling of the Mission to 17,000 troops, including, at the request of IGAD, a 4,000-strong regional protection force. The mandate of the regional protection force was specifically defined to improve security and protection of civilians in Juba, including to ensure movements at exit and entry points around Juba, contribute to security at the airport and secure key installations. The Government of South Sudan first opposed and then reluctantly

accepted the regional protection force deployment, criticizing the deployment as an attack against its sovereignty, motivated by a regime change agenda. As a result, the Government created serious impediments to the deployment of the regional protection force which has yet to be completed more than a year after its authorization.

III. Operating environment of United Nations Mission in South Sudan

7. Since May 2017, IGAD, supported by the African Union and the United Nations, has been working to revive the political process. A high-level revitalization forum on the peace agreement was convened on 18 December 2017 and delivered a new Cessation of Hostilities Agreement on 21 December. Since the new Cessation of Hostilities Agreement entered into force on 24 December 2017, it has been breached repeatedly by parties in various parts of the country. Should the high-level revitalization forum process succeed in producing a new momentum for the peace process, UNMISS could find itself in a significantly more positive operating environment, enabling the Mission to more easily fulfil its mandated tasks.

8. Violence and instability are, therefore, likely to remain prevalent throughout South Sudan, leading to more atrocities being committed against civilians and the flight of many more to neighbouring countries. There are now some 1.9 million people displaced within South Sudan, and more than 2 million refugees in neighbouring countries. More than 5.1 million people, nearly half the population, are severely food insecure. Additional conflict will also lead to more displacement and greater humanitarian needs and will further complicate the delivery of humanitarian assistance.

9. Meanwhile, the economic situation in South Sudan is expected to continue to deteriorate, owing to minimal revenue and sparse external support. The army and security agencies have not received salaries for several months. Criminality is increasing and adding to the prevailing insecurity. Civil servant arrears are accumulating and many public sector employees are no longer reporting for work. Juba continues to function as the only real monetized economy in the country, kept afloat largely by diplomatic, United Nations and international non-governmental organizations employment as well as diaspora remittances and private investments. In the World Bank assessment of the economy of South Sudan, an exceptionally bleak situation is predicted — with minimal governmental and institutional capacity, falling oil production and prices, contraction of the gross domestic product, an extreme poverty rate, rising food prices and falling food production, as well as high infant and maternal mortality rates. South Sudan is ranked 181 of 188 countries in the human development index. The survival of its population will, therefore, require massive levels of international assistance for the foreseeable future.

IV. Assessment of the Mission's current mandate, implementation and effectiveness

A. Protection of civilians

10. The dangerous security situation affecting civilians in South Sudan is a direct outcome of the leadership of the country's disregard for its responsibility to protect, even though protecting civilians is its primary responsibility. As a result, the protection of civilians is the most challenging aspect of the Mission's mandate. Tasks associated with the protection of civilians include deterrence, early warning, public safety and security of and within the protection of civilians sites, reaching out to as

many as possible of the nearly 2 million persons displaced throughout the country, preventing sexual and gender-based violence, addressing local conflicts and fostering a secure environment for the safe and voluntary return of internally displaced persons and refugees. The Mission is expected to protect civilians in a vast country with scarce infrastructure and a long rainy season, during which movement is largely restricted to transport by air. Since the outbreak of violence in December 2013, more than 200,000 internally displaced persons have sought refuge in UNMISS protection of civilians sites throughout the country, and 4 million others have been displaced, largely as a result of military operations, intercommunal violence and criminality. Even if political progress is made, fragmentation among the warring parties in South Sudan and the high risk of revenge killings imply that the protection crisis will likely continue; and the Mission must be prepared to respond accordingly.

11. Women and children continue to bear the brunt of the conflict. Gender-based violence is pervasive, yet underreported throughout South Sudan owing to social stigma and fear of retaliation by perpetrators. Life-saving services and reporting mechanisms are not immediately available to survivors in many of the affected areas. Conflict-related sexual violence is a serious concern. Women and girls, in particular those in female- and child-headed households, remain most at risk and are vulnerable to sexual assault while carrying out the most basic acts of survival. The Security Council has mandated that monitoring and reporting mechanisms continue to verify cases of child recruitment, use, abduction and other grave violations directly affecting some 100,000 children since the beginning of the conflict. More than 19,000 children are estimated to have been recruited and used by armed actors since the beginning of the conflict, up from an estimate of 17,000 in 2016. The destruction of schools and the departure of teachers from many affected areas have had an increasing impact on access to education, with 2 million children out of school.

12. It is in this challenging situation that UNMISS must chart a course to increase its protection of civilian activities to the maximum extent possible within its existing resources, and to find ways to work with the Government and other parties in order to do so. The Government will remain the main actor with whom the Mission needs to engage to bring about fundamental changes in the behaviour of the security forces. In that regard, the Mission's strategy to foster "more peace at any level" is the appropriate course of action among a limited range of options.

13. The operation of the protection of civilians sites continues to dominate the related activities of UNMISS. By a conservative estimate, 50 per cent of the Mission's efforts, in time, money, staffing and energy, are devoted to managing and protecting those sites. At least 5 of the 12 infantry battalions are engaged in protection of civilians site security, as are five formed police units and nearly 400 individual police officers. The review team found that while the vast majority of the people in the protection of civilians sites are there for their physical protection, the sites present their own sets of problems. Some sites have become highly politicized, characterized by the activities of competing gangs and the smuggling of contraband goods as well as a level of criminality that is extremely difficult to manage without adequate resources, notwithstanding sustained efforts to improve security. The sites also remain a point of friction with the Government, which claims that they provide refuge to elements of the armed opposition. Notwithstanding UNMISS efforts, sexual and gender-based violence remain a serious problem at the sites, where, in some cases, approximately 80 per cent of the population is made up of women and children. Managing and providing for humanitarian needs within these sites, a collective effort shared by the Mission and the humanitarian community, is also a major undertaking.

14. The protection of civilians sites have been and will remain the responsibility of the Mission until the hosted population feels safe enough to return home. The physical protection provided in the protection of civilians sites is at the core of the UNMISS

mandate and is being accomplished, notwithstanding the many challenges. Efforts are under way to better secure and police the sites, with weapons-free zones being established around their perimeters, more frequent weapons sweeps being undertaken, larger berms being built and increasing cooperation among the Mission, United Nations agencies and non-governmental organizations (NGOs) that work in the sites. Nevertheless, despite a substantial investment in securing the sites, they remain vulnerable to large-scale attacks, as witnessed in Bor in 2014 and Malakal in 2016. While the Mission is making a significant effort to locate and expel members of the armed opposition in the protection of civilians sites, such attacks remain a possibility if opposition figures continue to live in these sites and their populations are perceived to be supportive of the opposition. The provision of permanent security to protection of civilians sites reduces the Mission's ability to project its force outside United Nations bases and maintain a presence in areas in which the vast majority of the people in need of protection reside, or to which they have been displaced.

15. There are no easy answers to this dilemma. There will never be enough troops to protect both the protection of civilians sites and extend the protection footprint of UNMISS to other areas of large displacements, in a country as large as South Sudan. Increasing the effectiveness of protection efforts beyond the protection of civilians sites is a major priority of the Mission, though, and more emphasis is being placed by the Mission on early warning, greater involvement of the communities inside the camps in ensuring security and greater reliance on traditional dispute resolution practices. Efforts on the part of the Special Representative of the Secretary-General and the Force Commander to make the Force more robust, nimble and proactive, in particular by projecting their protection activities beyond the sites, are beginning to make an impact. Plans are in place to expand the Mission's presence to include locations in the Equatorias, which have experienced intense fighting and displacement in the past year.

16. Nevertheless, with approximately 50 per cent of the military resources deployed in securing the protection of civilians sites, only a maximum of 20 per cent of troop strength is available for outward projection of force, supporting humanitarian operations and other mandated tasks; the remainder are being utilized to secure United Nations bases and support activities. Within existing resources, an increase in the percentage of forces available to provide some measure of protection to an estimated 1.7 million internally displaced persons who are not in protection of civilians sites can only occur through two avenues: (a) by sequentially closing the protection of civilians sites as the security situation improves and internally displaced persons voluntarily depart; and (b) by reassessing the current model of providing security to protection of civilians sites in order to explore whether other options exist, requiring fewer troops for static security in order to increase the Mission's footprint outwards. An optimal strategy would be a combination of the two. However, since the closure of protection of civilians sites depends on external factors that are out of the Mission's control, the reassessment of the current security model vis-à-vis the protection of civilians sites is essential. Some early success in closing sites has been achieved. The protection of civilians site in Melut was closed after registering the residents as internally displaced persons, providing a transition package and assurances of continued food assistance, while relocating some families with safety concerns to another site. The lessons learned in Melut will help in addressing the closure of larger sites in due course.

17. While the physical protection of civilians under imminent threat of violence is a mandated responsibility of UNMISS, the entire United Nations presence in South Sudan and NGO partners also have complementary protection responsibilities. While all the organizations appear to be seized of the importance of protection and have their respective strategies, it does not automatically translate into a joined up,

comprehensive approach that draws upon all the parties' strengths to best utilize scarce resources.

18. An integrated and people-focused United Nations protection approach is needed in South Sudan so as to enhance protection for the vulnerable, especially women and children. A system-wide approach would need to address, for example, the needs of displaced persons for immediate physical protection and humanitarian assistance to eventual safe and voluntary returns to their places of origin or choice. That approach should also be aimed at filling existing gaps, generating synergies and avoiding duplication of effort and any possible related waste of resources.

Regional protection force

19. The regional protection force was mandated by Security Council resolution 2304 (2016) at the request of States members of IGAD and in response to the July 2016 violence in Juba. The two main troop-contributing countries of the force, which contributed one infantry battalion each, are States members of IGAD involved in supporting and facilitating the peace process, while the third is actively participating in the process. Given its mandate and the specific tasking by the Security Council, the regional protection force was also configured to include its own enablers, which comprise attack helicopters, two high-readiness companies, a level II hospital, two engineering companies and one unmanned aerial vehicle unit.

20. According to the review team, since the Security Council adopted resolution 2304 (2016) on 12 August 2016, the security conditions in the capital have changed substantially. Sixteen months ago, the operating environment in Juba was insecure, owing to the persistent threat of military conflict. Today, while the risk of instability and violence remains, the threat of military conflict in Juba city has diminished considerably because the Government is now largely in control of the capital, and the likelihood of a major external threat to Juba remains low. The current environment in Juba, therefore, necessitates the adjustment of some elements of the regional protection force mandate as currently scripted. Moreover, it is expected that the high-level revitalization forum will address the requirement for new security arrangements and that UNMISS would be expected to support such arrangements. As a result, the concept, mandate and configuration of the regional protection force might require review so that it can adapt to the current political and security environment and provide the most appropriate contribution to the protection of civilians and support to the implementation of the agreement on the revised transitional security arrangements, once agreed upon by all parties.

Capacity-building in support of protection of civilians

21. South Sudan came into being with extremely limited institutional capacity in all areas of governance and government services with the exception of military forces. This situation has not improved in subsequent years. Poor governance and economic collapse have compromised the already weak rule of law institutions in the country. Civil servants, the national police and judicial actors have not been paid in months. The complete collapse of an already weak institutional framework is a big risk for a country and does not bode well for the future safety and security of civilians.

22. While a broad range of interlocutors — including from civil society, the donor community and UNMISS — recommended to the review team that the Mission resume some form of capacity-building activity, others recommended against an extensive re-entry into that area. The Government has advocated a reversion to the original 2011 mandate, which included full-fledged State- and capacity-building, but under Chapter VI of the Charter of the United Nations. In the current environment, a full-scale return to supporting State-building through capacity-building is not

warranted. There is, however, space for a careful and conditional increase in the role of UNMISS in providing technical assistance, support and advice to South Sudanese offices in areas that will directly advance the core pillars of the mandate. Such assistance would need to mitigate the risk of UNMISS contributing to the conflict, would be subject to a review of human rights due diligence policy on United Nations support to non-United Nations security forces where applicable, and should be done in close collaboration with the United Nations country team so as to avoid a duplication of efforts.

23. Potential areas for technical assistance, training or advice include the training of the South Sudan National Police Service, the Joint Integrated Police, if reconstituted by the high-level revitalization forum, and the Sudan People's Liberation Army (SPLA) in matters relating to international humanitarian law and support for the investigation and prosecution of sexual and gender-based violence, sexual violence in conflict and other significant human rights violations. In addition, advocacy and outreach towards rebel groups on these issues could be conducted. Much can be done in many of these areas under the current mandate, if Mission leadership is given the flexibility to move resources within existing budget lines.

24. Offering training in preventing and responding to sexual and gender-based violence and human rights is not only useful but would also be a good test of how serious SPLA leadership is about improving the conduct, standards and accountability of its military forces. In that respect, the overall behaviour of the security forces can only fundamentally change with a long-term security sector reform programme. In the current climate, initiating a security sector reform programme would be premature. However, security sector reform efforts would need to be undertaken as part of a political settlement of the conflict, because without such reform, the long-term outlook for the political and security situation in the country is unlikely to change. The project would also need to be led by resourceful donors, because the United Nations alone does not possess the wherewithal to take charge of such an endeavour.

Military and police performance

25. The Mission has saved and continues to save the lives of tens of thousands of civilians in South Sudan. In the review, it was concluded, however, that the quality of response to a protection of civilians challenge or incident greatly depended on the quality of the military or police contingent and its commander. While dedicated investigations have been conducted in response to the most severe incidents of unsatisfactory performance, existing formal mechanisms for assessing the performance of a troop- or police-contributing country have been unsatisfactory. In view of various incidents concerning a lack of performance or a disregard for orders of the Force Commander, it is clear that the current systems need improvement. Some incidents are not reported, or remedial action is not taken, owing primarily to self-censorship within the Force or political sensitivities vis-à-vis the troop- and police-contributing countries.

26. A revised and independent appraisal system is needed with a view to ensuring effective and well-equipped troops to more efficiently implement the mandates while also enhancing the safety and security of peacekeepers. In that regard, the Office of Military Affairs is working to develop a more effective unit performance evaluation tool to evaluate the performance of contingents. Action must be taken against units and commanders who have been found to be in dereliction of their mandate.

Mission leadership and field offices

27. The review team found that my Special Representative and his team have demonstrated strong leadership in providing a clear vision of the Mission's priorities with an outcome-oriented approach. The operational concept devised by UNMISS is aimed at ensuring that all activities undertaken by the Mission include a clear goal at the outset and support the Mission's priorities. While a work in progress, this approach has altered the status quo and sharpened the focus of leaders and managers on the analysis of their operations and what they are or are not achieving.

28. Part of this strategy is a recognition of the importance of the field offices in UNMISS operations. More authority is being delegated to the field both to promote quicker responses to emerging situations as well as to provide each office the latitude to address local issues. This is particularly important for the role that the field offices play in mediating local disputes that threaten peace and stability. These subnational reconciliation efforts, which can involve workshops, conferences and mediation efforts led by the local Head of Office, have had a direct impact on mitigating and alleviating intercommunal tensions. Recent successful engagements include a de-escalation of tensions between the Bor Dinka and Murle communities in Jonglei and Boma and an early Murle mediation process in Boma. Absent a larger political settlement at the national and regional levels, these efforts are invaluable in mitigating conflict and violence at the subnational level.

B. Monitoring, investigating and reporting on the human rights situation

29. The Mission has been mandated to monitor, investigate and report on human rights violations and abuses, as well as violations of international humanitarian law. The Security Council tasked UNMISS with paying particular attention to conflict-related sexual violence and violations and abuses against children, as well as monitoring incidents of hate speech and incitement to violence. The human rights mandate of the Mission is inextricably linked to its protection of civilians function and should contribute to early warning efforts.

30. Human rights violations in South Sudan continue as a consequence of the conflict. The extreme cruelty of attacks against civilians has caused mass displacement on an unprecedented scale. The conflict has also spread to previously peaceful regions of the country and exacerbated ethnic tensions. The full extent of conflict-related sexual violence in the country remains unclear, but it is decidedly one of the prominent features of the crisis. Grave violations against the rights of children, including child recruitment and use, also continue unabated.

31. Despite the deplorable human rights situation in South Sudan, and the resources available to the Mission, public reporting of violations has been relatively scarce and slow. While recognizing that difficulties have been encountered in collecting human rights information (surveillance, intimidation of potential witnesses, fear of reprisals and constant access restrictions), more must be done to expose the full scale of human rights violations in the country through accurate, strategic and timely monitoring and reporting. Ensuring more systematic and detailed documentation of conflict-related violations will assist in identifying patterns and systems of abuse, contribute to the Mission's analysis of the conflict and its toll on civilians and inform its protection of civilians responses. It will also help in pinpointing responsibility for violations of human rights and of international humanitarian law in particular. This need is fully recognized by the Mission's leadership, which has embarked on a major reorganization of the structure, operating procedures and reporting of the Mission's Human Rights Division with the support of the Office of the United Nations High

Commissioner for Human Rights. The effort is now under way and is expected to be completed by March 2018.

32. A particularly egregious feature of the human rights situation in South Sudan is that human rights defenders and journalists are subjected to constant surveillance and harassment. They operate in a climate of fear, often finding themselves under threat or risk of being arbitrarily detained, or forced into exile. In order to prevent the further erosion of democracy in the country, the protection of civic space should be reinforced as one of the main priorities of the Mission. Work in that area would include the protection of civil society actors under threat and the prevention of the additional deterioration of freedom of expression in the country. The recent release of several political prisoners, as part of the Government's national dialogue process, provides opportunities for the Mission to advocate with the authorities regarding the need to create a more permissive and democratic environment for human rights work and discussions of issues of public interest. This is particularly important at a time when the Government is increasingly expressing its intention to push ahead with truth-seeking and reconciliation processes, as well as with the organization of elections in the country.

33. The Mission faces significant constraints in implementing its human rights mandate owing to access restrictions imposed by state security forces, in particular in areas in which grave human rights violations are reported and in those controlled by the opposition, to which the Government restricts access. Surveillance and a lack of security also make it difficult for the Mission to interview witnesses, victims and survivors of such violations without putting them at risk. On some occasions, UNMISS has been able to collect testimonies from survivors and witnesses in neighbouring countries, but access to such populations occurs only on an ad hoc basis. Restrictions on the Mission's human rights and other activities are routinely reported to the Security Council as violations of the Status of Forces Agreement. The review team found that, to date, those reports have not elicited any collective response from the Council and there is a strong need for the Council to react to the reports more vigorously and seek the compliance of the Government of South Sudan with the Agreement.

34. State security forces are responsible for a disproportionately large part of the violations of human rights and international humanitarian law recorded by UNMISS, and they currently pose the single biggest threat to the protection of civilians in the country. A Mission-wide strategy aimed at identifying channels through which the authorities and parties to the conflict can be held accountable for those violations and abuses, including for conflict-related sexual violence, is lacking. Without such an approach, the Mission will fail to address the main threats to civilians and neglect to strengthen accountability for past crimes to deter further large-scale human rights abuses in the country. In the current environment, the prospects for accountability remain weak and, in the assessment of the review team, the Hybrid Court for South Sudan seems to be the only viable option, given its acceptance by both the Government and the opposition. The Hybrid Court may, however, be insufficient to address the full spectrum and urgency of accountability needs in South Sudan.

C. Creating conditions conducive to the delivery of humanitarian assistance

35. The humanitarian situation in South Sudan is grim. The compounding effects of widespread violence and sustained economic decline have further diminished the capacity of people to face threats to their health, safety and livelihoods. Humanitarian organizations predict that at least 7 million people throughout South Sudan will

require some form of humanitarian assistance in 2018, that is to say, over 60 per cent of the population. Moreover, 60 per cent of those in need are children. The Greater Equatorias, the traditional breadbasket of the country, are now beset by conflict, severely restricting the country's ability to produce its own food and potentially affecting the main supply routes from Kenya and Uganda.

36. While the humanitarian crisis deepens, the operating environment for humanitarian agencies is becoming increasingly complex and dangerous. Notwithstanding a November 2017 Presidential order granting unrestricted access, humanitarian actors face a range of factors that limit it: security conditions, impassable roads and blockage by armed forces at the local level on the part of both SPLA and opposition factions, as well as administrative impediments. Aid workers continue to be killed, injured and harassed throughout the country. At least 92 aid workers have been killed since the beginning of the crisis in December 2013, including 25 who were killed in 2017. While the review team was in South Sudan, another 6 NGO workers were killed in an attack on the village of Duk Payuel, in Jonglei.

37. The Mission's assistance to humanitarian partners includes the provision of security at UNMISS protection of civilians sites and, upon request, the provision of air transport, extraction/relocation support, route and area security through long-range patrols or escorts, and the exchange of information about security conditions, access negotiation and coordination with armed forces. Mine action teams survey and clear routes, airstrips and locations for the delivery of aid and provide updated hazard mapping to allow free and safe movement of humanitarian organizations and affected populations. More than 600 United Nations agency and NGO staff currently co-locate in UNMISS bases and the Mission also secures warehouses, fuel supplies and other critical infrastructure in conflict areas. While 95 per cent of humanitarian movements are conducted without armed escort, agencies call upon the Mission for armed escorts in particularly dangerous areas. However, there remain areas that are inaccessible to both the Mission and humanitarian actors.

38. Humanitarian representatives in South Sudan noted that the Mission's coordination with and responsiveness to humanitarian organizations' requests has improved markedly in the past year. One challenge for the Mission is that many humanitarian organizations, in particular NGOs, operate in areas in which the United Nations has an infrequent presence, or none at all. A planned expansion of UNMISS into Equatoria will partially fill this gap and increase the Mission's ability to further support humanitarian operations. As a result of this improved collaboration, the Mission is receiving more requests for various types of support, which it has been able to meet thus far.

39. Humanitarian organizations and donors have strongly praised UNMISS for its efforts to create conditions conducive to the delivery of humanitarian assistance, and recommended against any changes to this aspect of the Mission's mandate. UNMISS has been characterized as a key enabler of the massive humanitarian operation and essential to humanitarian actors delivering aid. The support of the Mission and the Mine Action Service in mine action, in particular, has been praised. The review team found that, without the presence and support of UNMISS, the access and reach of humanitarian organizations would be reduced considerably, in particular in the conflict areas in which they reside in UNMISS camps and in locations in which UNMISS secures warehouses, fuel supplies and other critical infrastructure.

D. Support to the political process

40. The main factor determining the ability of UNMISS to fulfil its mandate and eventual exit strategy is progress in the political process towards a peaceful resolution of the conflict. If no sustained progress is made on the political front, the Mission is likely to have to continue to implement the other three pillars of its mandate for a significant and indefinite period of time. Yet, the key factors for the success of the political process are not in the hands of the Mission.

41. The implementation of the peace agreement fell apart in July 2016 owing primarily to a lack of political will on the part of the parties to implement the agreement in good faith and to their preference for achieving political objectives through military means. The review team assessed that the conflict in South Sudan could not have been sustained for this long without a steady resupply chain of weapons and ammunition to the parties, notably the Government, enabled by some of its neighbouring countries. It found that this has directly affected the safety of United Nations personnel and the Mission's ability to carry out its mandate, and advised that unless these dynamics change, and the neighbours of South Sudan provide consistent, coherent, concerted and unequivocal support to the peace process, including through disabling the parties' ability to procure weapons and ammunition, the peace process is unlikely to succeed.

42. The launch by IGAD of the high-level revitalization forum on 18 December was the most significant peace-related development since 2015. Following three days of intense negotiations between a wide cross-section of opposition actors and the Government, a Cessation of Hostilities Agreement was signed on 21 December 2017. Under the Agreement, parties were obligated to cease all hostile military actions and operations as from 24 December 2017, including attacks against civilians and humanitarian actors, and to facilitate unfettered humanitarian access. The agreement also includes a clause regarding the release of children recruited by armed groups and the release of detained persons. The forum provided the first opportunity for the signatories of the peace agreement and newly emerged political forces to meet under one roof.

43. There have been reports of clashes in multiple locations in South Sudan since the Cessation of Hostilities Agreement came into effect. These have been concentrated mainly in areas in which fighting was ongoing prior to the Agreement entering into force, such as Western and Central Equatoria and Unity. The review team noted that the entire period has also been characterized by media propaganda, through which each side accuses the other of attacks and violations of the Agreement. The Ceasefire and Transitional Security Arrangements Monitoring Mechanism has attributed the responsibility for the clashes to both SPLA and the Sudan People's Liberation Army in Opposition. Maintaining a genuine cessation of hostilities will depend largely on the effectiveness of the Mechanism in performing its duties, and on the freedom of movement of UNMISS. The Mission should therefore enhance its support to the Mechanism's proactive monitoring and reporting of violations and overall effectiveness in identifying those responsible.

44. Reporting on ceasefire violations by the Monitoring Mechanism should be shared more rapidly with the Security Council, in order to inform its deliberations and put urgently needed pressure on the parties to cease such violations. As expressed by the IGAD Council of Ministers and other regional leaders during the African Union summit held in Addis Ababa in 2018, unless a political cost and accountability measures are attached to these violations, they are likely to continue.

45. During the second phase of the high-level revitalization forum, which began on 5 February, discussions have been focused on issues of governance, a permanent

ceasefire and transitional security arrangements as well as on revised timelines for the implementation of the peace agreement of 2015. That will also include revised timelines and implementation schedules towards democratic elections at the end of the transitional period.

46. While the initial progress in the high-level revitalization forum process is encouraging, the chances of reaching a comprehensive political solution in the near term without applying political leverage on the parties are slim. The Government of South Sudan perceives itself to be in a dominant position and has voiced strong reservations regarding the IGAD approach. The opposition is fragmented and internally divided. South Sudan has also become a flashpoint where regional geopolitical tensions and competition converge, further undermining prospects for peace. If the high-level revitalization forum results in the conclusion of a political agreement, the implementation process will require a stronger monitoring and implementation mechanism on the ground.

47. There is a clear imperative for the United Nations and the wider international community to continue to pursue peace in South Sudan. The crisis will not be resolved absent a political solution. The review team assessed that the current military dominance of the Transitional Government of National Unity may not be sustained in a context of economic collapse and internal fragmentation, and government engagement aimed at incremental improvements on the ground will not be sufficient to reverse the current dynamics of the crisis. The team is of the view that generating support for the high-level revitalization forum, resisting the pressure of unrealistic timelines, bringing the region on board in a coherent and united approach and highlighting the great importance of unity of purpose within the Security Council are the most important steps towards peace in South Sudan.

V. Observations and recommendations

48. I believe that progress in the peace process, leading to a sustainable political resolution of the conflict, should be the key objective of the United Nations in South Sudan, as that is the only way towards a viable exit strategy for UNMISS. In the past, the Security Council has prioritized increasing the troop strength of the Mission, rather than strengthening the political process. As a result, UNMISS evolved from an enabling instrument to one mainly focused on the protection of civilians. Thus, I encourage the Security Council to continue exerting increased political leverage on the parties, in coordination with regional organizations, and to address the restrictions placed on the Mission, as well as the repeated violations of the Status of Forces Agreement.

49. The Mission was established in 2011, with a focus on the consolidation of peace and security and assisting the new Government in developing institutions and its capacity. UNMISS remains a necessary presence in South Sudan, without which tens of thousands of South Sudanese would face dire and dangerous circumstances. In this environment of conflict, supporting humanitarian access, as well as monitoring of and publicly reporting on human rights and humanitarian law violations, are important supporting elements of the Mission's protection mandate.

50. The Status of Forces Agreement is frequently violated and these violations are regularly reported to the Security Council. The Mission continues to work with the Government to move it towards a peaceful and helpful approach while simultaneously doing its maximum to protect a significant portion of the population.

51. Current trends indicate that the political process will require a considerable amount of time, effort and united political support from the Security Council in order

for it to deliver an implementable outcome, as the process must overcome a security situation, which in the absence of a resolution is very likely to see a resumption of violence; a dire human rights situation, where impunity for violations against civilians in general and against women and children in particular will continue; and a humanitarian situation, which is likely to worsen. In the light of these circumstances, it is my view that the current mandate of UNMISS remains valid and should be extended for another year, albeit with some modifications as recommended in the paragraphs below.

52. While the current language on the Mission's protection of civilians mandate remains valid, there is a need to adopt a system-wide United Nations protection approach for South Sudan, drawing on all capacities — those of the military, the police, civilians and United Nations agencies — to ensure better integration and coordination of efforts. This approach should not only utilize to the maximum extent possible all United Nations resources in South Sudan, but also fill existing gaps and avoid duplication of activities. This can only happen if we overcome the challenge of United Nations actors working in silos, which is an issue that I am addressing in my reforms. I have directed the Department of Peacekeeping Operations and UNMISS to conduct a military and police capability study, to review the current model for providing security to the protection of civilians sites and to explore whether a more efficient model requiring fewer troops could be contemplated with the overall aim of freeing up more troops for outward projection of the Mission's military footprint.

53. The mandate of UNMISS could be amended to include the capacity-building and training of security and government institutions in matters relating to international humanitarian law, and the investigation and prosecution of cases of sexual and gender-based violence and conflict-related sexual violence, as well as of other serious human rights violations, with due reference to the implementation of the human rights due diligence policy. A Mission-wide strategy aimed at identifying channels through which those responsible can be held accountable for violations and abuses, in particular for sexual and gender-based violence and conflict-related sexual violence, should be urgently developed. Consideration should also be given to community violence-reduction projects. All this could be achieved within existing resources, provided that my Special Representative is given the authority to reallocate resources towards these objectives.

54. In order to raise the visibility of the human rights situation in South Sudan, the Mission should strengthen its outreach and advocacy aimed at reducing violations and enhancing the protection of civilians, including through documenting responsibility as a deterrent, as well as a basis for future accountability. There should also be a renewed international push to support the efforts of the African Union towards the establishment of the Hybrid Court for South Sudan, which was agreed to by the parties to the conflict. The language in the mandate related to creating conditions conducive to the delivery of humanitarian assistance remains valid, and its successful implementation deserves recognition.

55. I commend the engagement of IGAD to revitalize the political process, and urge the region to make further efforts to overcome its divisions in order to reach a political solution to the crisis in South Sudan. I urge the Security Council to continue supporting the peace process, including by taking into account the call by the African Union and IGAD to hold the parties accountable for the violations of their own agreements. Without regional and international leverage, the parties to the conflict are unlikely to change their existing calculus and to support political dialogue. I urge the States members of IGAD and members of the Council to ensure consistent and unequivocal messages to the parties in that respect and to strengthen their political support for the Ceasefire and Transitional Security Arrangements Monitoring Mechanism, the Joint Monitoring and Evaluation Commission and UNMISS in

addressing the violations of the Cessation of Hostilities Agreement and the Status of Forces Agreement.

56. In conclusion, I would like to thank the UNMISS review team and its leader, Kevin Kennedy, for their excellent work. I would also like to thank my Special Representative, David Shearer, UNMISS leadership and staff as well as members of the United Nations country team in South Sudan for their hard work under very trying circumstances.